

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JAMES R. DUNCAN,

Plaintiff,

DECISION AND ORDER

16-CV-6328L

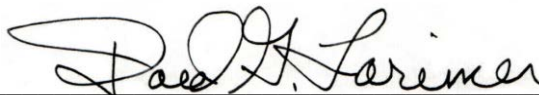
v.

JAMES E. CROWELL, et al.,

Defendants.

United States Magistrate Judge Marian W. Payson filed a Decision and Order and Report and Recommendation (Dkt. #14). The Report and Recommendation recommended denying plaintiff's motion for a ruling in his favor as premature. No objection to that Report and Recommendation has been filed. Therefore, the Court adopts the Magistrate Judge's Report and Recommendation and denies plaintiff's motion (Dkt. #12).

IT IS SO ORDERED.

A handwritten signature in black ink, reading "David G. Larimer", is written over a horizontal line.

DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
December 22, 2016.